

REMARKS

Claims 23-34 are presented for examination, of which Claims 23, 26, 28 and 34 are in independent form. Claims 23, 26, 28 and 34 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

As pointed out in the March 11, 2005 Amendment and again in the August 3, 2006 Amendment (as well as during the October 3, 2006 telephone interview between Applicants' attorney and the Examiner), although Claims 23-26 and 28-33 were rejected as being anticipated by *Hirosawa et al.*, the Office Action in discussing the rejection of Claim 23 cites passages and figures from what appears to be U.S. Patent No. 5,859,956 (*Sugiyama et al.*). For example, the Office Action at page 3, lines 5 and 6, refers to Figures 75 and 76, and column 30, lines 48-67, which Applicants assumes refers to the *Sugiyama et al.* patent because the *Hirosawa et al.* patent contains only 18 figures and 22 columns. Applicants in this Amendment have addressed the rejection of Claim 23 as being anticipated by *Hirosawa et al.* and direct the Examiner to the Amendment filed on July 21, 2004, for arguments on the patentability of Claim 23 over *Sugiyama et al.* This is now the fourth time Applicants are pointing out this mistake.

Claims 23-26 and 28-34 were been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,557,736 (Hirosawa).

As shown above, Applicants have amended independent Claims 23, 26, 28 and 34 in terms that more clearly define what they regard as their invention. Applicants submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 23 is directed to a data processing apparatus connectable to a LAN. The data processing apparatus includes: (1) a receiver, adapted to receive image data sent by a sender, the data processing apparatus being set by the sender as a destination of the image data; (2) a storage unit, adapted to store the image data received by the receiver; (3) a printer, adapted to print an image based on the image data received by the receiver; (4) an identification unit, adapted to obtain user information about a user for whom the image data received by the receiver was received; (5) a transfer unit, adapted to transfer the image data received by said receiver to be printed by the printer from said data processing apparatus to a terminal connected to the LAN through the LAN when it is impossible to store the image data in the storage unit without printing the image based on the image data received by the receiver by the printer; (6) a generation unit, adapted to generate a predetermined notification, based on the user information obtained by the identification unit, to notify the user that the image data has been transferred by the transfer unit from the destination to another destination, the notification including information indicating the terminal to which the image data is transferred by the transfer unit; and (7) a sending unit, adapted to send the predetermined notification generated by the generation unit to the user corresponding to the user information obtained by the identification unit as mail.

Hirosawa relates to a computer system for executing a job by utilizing an electronic mail system connected via a public telephone network 4. Hirosawa allows a user of the electronic mail system to recognize a condition of an execution result of a job performed in the computer system and a job execution result. The job execution results are available from an output device for the user. When a mail processing unit of the computer system analyzes a mail statement about the job execution derived from the electronic mail system, and the job execution

derived from the electronic mail system, and the job execution is completed, the mail processing unit sends to the electronic mail system a mail statement about the completion of the job execution containing information about fail/safe execution result. Upon receiving this report, the user designates the output device into a response mail so as to output the job execution result from the designated output device.

The Examiner cites Figure 1, line 27 as teaching the receiver of Claim 23. Applicants disagree. Figure 1, line 27 depicts a telephone line connected to the computer system to allow signals to be transmitted to and received from, the computer system 1. However, Applicants have found nothing in Figure 1 or the specification that would teach or suggest “a receiver, adapted to receive image data sent by a sender, said data processing apparatus being set by the sender as a destination of the image data,” as recited in Claim 23.

The Examiner cites column 5, lines 6-10 as teaching the storage unit of Claim 23. Applicants disagree. That passage merely discusses that the computer system 1 includes a CPU and a memory and that the memory stores a job 12 and a mail processing program 13, executed under an operating system (OS), and control tables (MCT: Mail Control Table, and JCT 3 Job Control Table) 14. However, Applicants have found nothing in that passage, or anywhere in the specification that would teach or suggest “a storage unit, adapted to store the image data received by said receiver,” as recited in Claim 23. Indeed, nothing in Hirosawa even hints that job 12 is image data received by the receiver.

The Examiner cites Figures 2-4 as disclosing the identification unit of Claim 23. Applicants disagree. Figure 2 represents a job execution proposing mail statement; Figure 3 depicts an output destination of a result list of Figure 2; and Figure 4 depicts a mail statement.

While Figures 2 and 4 show “user id” information, there is nothing whatsoever to suggest that the “user id” information is information about “a user for whom the image data received by the receiver was received,” as required by Claim 23. Indeed, as discussed above, there is nothing in Hirosawa to suggest a receiver for receiving image data sent by a sender.

The Examiner cites column 1, lines 45-49, Claim 1, column 10, lines 18-33 and column 17, lines 29-35 as teaching the transfer unit of Claim 23. Applicants disagree for all of the reasons set forth in the August 3, 2006 Amendment. As discussed therein, Column 1, lines 45-49 merely discusses outputting a job execution completion report and a job execution result requested by the user; column 10, lines 18-33 merely discusses that when there is an abnormal end of a job, the user can obtain the job execution result by sending via an electronic mail terminal an electronic mail statement used to obtain the list of the job execution results; and column 17, lines 29-35 discusses designating an output designation from an electronic mail system which has received a job completion report and transferring the result of the job execution stored in a memory to the designated output device.

In addition, Applicants disagree with the Examiner’s statement on page 5 of the Office Action that Hirosawa “does teach transferring the inputted data by the input unit to a terminal connected to the LAN through the LAN (e.g. depicted by fig. 1, depicts how a job (12) stored in a computer can be transferred [sic] to electronic mail system (20 or terminal (5) connected to the LAN (4) through the LAN, (see also claim 1, which describes the transfer of data) when it is impossible to store the data inputted by the input unit in the storage unit (reads on col. 10, lines 18-33, which describes how an abnormal condition such as exceeding capacity over memory, and

col. 17, lines 29-35, describes how data is transferred based on an output designation, col. 6, lines 29-50 describe [sic] how a job is designated as abnormal based on the detected condition.”

Applicants submit that nothing in Hirosawa would even hint of transferring inputted data to a terminal connected to a LAN. That Figure 1 depicts a connection between the computer system 1 and a terminal does not establish or even suggest that job 12 is actually ever transferred to the electronic mail system (or anywhere for that matter), and the specification makes clear that it is not so transferred. Rather, as the passages cited by the Examiner show, only a job execution result is transferred to the electronic mail system. For example, claim 1 describes transferring the result of the job execution -- not image data received by a receiver--.

And, no combination of Claim 1, column 10, lines 18-33 and column 6, lines 29-50 can be seen to teach or suggest transferring received image data when it is impossible to store the image data in the storage unit without printing the image data based on the image data received by a receiver. Column 10, lines 18-33 merely discusses that when an abnormal end to a job, such as over memory, occurs, a user can judge whether or not the job execution result should be obtained based on the information in the job execution state field 30f. If the user wants the job execution result, the user may send via the electronic mail terminal 5 an electronic mail statement used to obtain the list of the job execution results performed by the computer system 1. The passage also discusses that, at this time, it is possible to change the output destination of the list - - again, not image data received from a receiver. Column 6, lines 29-50 merely discusses how an abnormal condition in a job execution is depicted in the job execution state statement. However, no combination of these passages even hints of transferring received image data when it is

impossible to store the image data in the storage unit without printing the image data based on the image data received by a receiver.

Accordingly, Applicants have found nothing in these passages that would teach or suggest “a transfer unit, adapted to transfer the image data received by said receiver to be printed by said printer from said data processing apparatus to a terminal connected to the LAN through the LAN when it is impossible to store the image data in said storage unit without printing the image based on the image data received by said receiver by said printer,” as recited in Claim 23.

The Examiner cites the abstract, column 10, lines 18-33, claims 1 and 4 and figures 1, 5, 7 and 9 as teaching the generation unit of Claim 23. Applicants disagree for all of the reasons discussed in Applicants’ previous responses to Office Actions. Figures 1, 5, 7 and 9 merely show that a computer system for executing a job is connected to a terminal. Mere connectivity, however, does not teach the claimed generation unit. Further, as discussed in detail above, nothing the cited passages, or anywhere else in the specification teaches transferring received image data when it is impossible to store the image data in the storage unit without printing the image data based on the image data received by a receiver, much less “a generation unit, adapted to generate a predetermined notification, based on the user information obtained by said identification unit, to notify the user that the image data has been transferred by said transfer unit from the destination to another destination, the notification including information indicating the terminal to which the image data is transferred by said transfer unit,” as recited in Claim 23.

Finally, Applicants have found nothing in Hirosawa that would teach or suggest “a printer, adapted to print an image based on the image data received by said receiver,” as recited

in Claim 23. While, Hirosawa does disclose that the a job execution result may be printed, printing a job execution result is far different from printing “an image based on the image data received said receiver, as recited in Claim 23.

For at least the above reasons, Applicants submit that Claim 23 is clearly patentable over Hirosawa.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 23.

Independent Claim 26 is a method claim corresponding to apparatus Claim 23, and is believed to be patentable over Hirosawa for at least the same reasons as discussed above in connection with Claim 23.

In view of the foregoing amendments and remarks, early and favorable continued examination of the present application is respectfully requested.

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Respectfully submitted,

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